IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

CIVIL BENCH TRIAL

Owner-Operator Independent Drivers Association, et al.,

                 Plaintiffs,

v.

Mark Dunaski, et al.,

                 Defendants.

COURT MINUTES
Case Number: CV. 09-1116 DWF/RLE

Date:	September 14, 2010
Court Reporters:	Jeanne Anderson
	Carla Bebault
Time Commenced:	9:42 a.m. / 1:55 p.m.
Time Concluded:	12:40 p.m. / 5:30 p.m.
Time in Court:	6 Hours & 33 Minutes

Trial before Donovan W. Frank, United States District Judge, at St. Paul, Minnesota.

APPEARANCES:

For Plaintiff: Paul Cullen, Sr., Paul Cullen, Jr., Daniel Cohen, James Johnston, Albert Goins
For Defendant: Marsha Eldot, Devine, Thomas Vasley

PROCEEDINGS:

- ☐ **Jury Selection.**
- ☐ **BENCH Trial - Began**.
- ☐ **BENCH Trial - Ended**
- ☐ Jury impaneled (File list of jurors).
- ☐ Opening statements.
- ☒ **BENCH Trial Held.**
- ☒ Trial continued to September 15, 2010.
- ☒ Plaintiff's witnesses: Dr. Philip R. Westerbrook, Jeanette House, Christopher Norton, James Ullmer
- ☐ Defendant's witnesses:
- ☐ Plaintiff rests.   ☐ Defendant rests.
- ☐ Closing arguments.
- ☐ Jury received case at.
- ☐ Jury resumed deliberations on.
- ☐ Jury returned at without verdict. IT IS ORDERED: to separate and to return and resume deliberations on.

- ☐ Verdict Rec'd at for:
  - ☐ Plaintiff
  - ☐ Defendant

- ☐ Court's Ruling:
  - ☐ Judgment in favor of Plaintiff.
  - ☐ Judgment in favor of Defendant.

IT IS ORDERED:

☐   Oral motion to dismiss for judgment as a matter of law.
☐   Clerk to file Verdict and enter Judgment.
☐   Clerk to file Verdict, but withhold entry of Judgment until further order.
☐   Clerk to file Order.
☐   Clerk to file Order and enter Judgment.
☐   Clerk to enter Judgment.
☐   Written order forthcoming.
☐   Case submitted.

CLERK'S USE ONLY:

☐   Number of trial days with evidence - .
☐   Exhibits returned to counsel or parties.

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s/B. Schaffer
Signature of Calandar Clerk

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